

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

SHELTON BERNARD HOPKINS, Jr.,

Defendant.

NO. W-11-CR-194

ORDER

Upon motion of the defendant for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors provided in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission,

IT IS ORDERED that the motion (ECF No. 60) is **DENIED** after a complete review of the motion on the merits.

Factors considered:

1. Defendant has served roughly 69% of his expected sentence. Reducing his sentence would not reflect the seriousness of his offenses, promote respect for the law, or provide just punishment for his offenses under 18 U.S.C. § 3553(a)(2)(A). Defendant has already received a reduced sentence when this Court reduced Defendant's term of 210 months to 175 months.
2. Defendant has not identified any medical condition that would qualify as "extraordinary and compelling reasons" meriting compassionate release under USSG § 1B1.13, especially given that he has already been vaccinated against COVID-19. The BOP is providing treatment for Defendant's medical conditions and addressing his issues.
3. Defendant has failed to show that he does not pose a danger to the community under USSG 1B1.13. Especially concerning is criminal activity dates back to when Defendant was eleven

years of age. Also, since turning eighteen, Defendant continued to live a life of crime by convictions for evading arrest and detention, criminal trespass, resisting arrest, possession of a controlled substance, to-wit: cocaine, possession of marijuana, and bail jumping. Defendant was on parole when he committed his instant offense and received 24 criminal history points, which placed him in the highest criminal history category of VI. Finally, while in prison, Defendant has shown he is a danger to others, compiling a lengthy disciplinary record while incarcerated.

4. Defendant's family circumstances are not extraordinary and compelling reasons for a sentence reduction. The mother of Defendant's children has had sickle cell for years. There is no allegation or proof that she has "died or is incapacitated." Defendant also mentioned that if this Court reduced his sentence, Defendant would have: "[Financial and moral support of several family members who would gladly provide whatever is needed" The mother of Defendant's children is not the only available caregiver.

IT IS SO ORDERED.

SIGNED this 25th day of May 2021.

A handwritten signature in black ink, reading "Alan D Albright", written over a horizontal line.

ALAN D ALBRIGHT

UNITED STATES DISTRICT JUDGE